

1 REMARKS

2  
3 Counsel has enclosed a number of pages, which follow closely in order the arguments  
4 that put forth with respect to the combination multi-referenced rejection and most particularly  
5 relate to the combination of Novikoff and Grubb, though other references are sprinkled  
6 throughout. Also, enclosed is a series of drawings or sketches to help emphasize the points of  
7 these remarks

8 KEYBOARD AREA

9 At line 4, of paragraph 6 of the most recent Office Action, you state that Novikoff  
10 discloses a particular type of desk. My Figure 1 is a top plan view of a typical Novikoff-type  
11 of installation. My Figure 5 is inclusive of Figure 20 of the reference. Note how the corner  
12 desk is but a flat surface whose keyboard placement is denoted as "user here" along the  
13 diagonal edge. The two corners of this diagonal edge meet with the AFC's adjacent  
14 furniture components respective front and side edges at 90-degree corners. The dimensions  
15 of thirty-six inches and forty-two inches are arbitrary choices for a typical corner desk  
16 installation. Twenty-four inches is a typical depth of adjacent furniture components utilized  
17 in offices, though some are also thirty inches deep. [I personally have a twenty-four inch deep  
18 AFC on the left and a thirty-inch AFC on the right of my corner desk of this invention in my  
19 personal office].

20 If you measure the keyboard user distance between the two side edges of a Novikoff-  
21 type corner desk, you will have a measurement of twenty units, here  $\frac{1}{16}$  of an inch each, for the  
22 angled distance of where the keyboard would go. Thus, twenty inches is the distance across  
23 the angle where the sitter would be and the number 20 is so placed. You will also note that  
24 the Grubb movable shelf is wider by necessity due to geometry principles, such that when a  
25 substitution for the shelf of Grubb is made, of the same width, you CANNOT put it on a  
26 Novikoff desk as the distance on the oblique angle won't permit it.

27 It is the concept that the substitution cannot be made geometrically to utilize a  
28 Novikoff-type corner to achieve a modified unit to resemble Grubb with a Kirchoff-type  
29 keyboard as is done in your multiple referenced combination. This is because as the two  
30 edges of the AFCs or the side edges of the corner unit approach to a hard 90-degree angle, the  
31 diagonal that can join them gets shorter and shorter. See my Figure 8 where I have overlaid a  
32 Novikoff type corner with AFCs and a Grubb type corner with the oblique edge AFCs, so you  
33 can see the diagonal line where the user would sit in each configuration.

1           As you will note, the last three lines of your paragraph 6 of your most recent office  
2 action, state, "*The differences being that Novikoff does not disclose a keyboard platform*  
3 *mounted underneath [the front edge of the corner section] which indefinitely adjusts up and*  
4 *down and tilts to a negative of positive position and sized in one dimension...*" this is  
5 confirmed by my Figure 1 [underlined emphasis added by the writer].

6           In the second paragraph of page 5 of your office action, you state, "... *it would have*  
7 *been obvious to modify the structure of Novikoff by providing a keyboard platform mounted*  
8 *underneath the front edge of the corner section . . .*" This is indeed my Figure 4. You then  
9 state, "... *in order to support a computer keyboard, as taught by Fich, with the platform*  
10 *infinitely adjusts up & down . . .*" Note how I have used a wavy line to segregate your two  
11 thoughts on page "C." Fich does NOT teach a computer keyboard tray that does indeed  
12 adjust up and down as per Kirchoff, nor does his move back and forth. It just sits below desk  
13 level. Fich is set into place and is at a lower level. I believe you are in error here.

14           My Figure 3 shows a Kirchoff keyboard mounted at the front edge of Novikoff. Note  
15 how my Figure 3 has the keyboard correctly mounted as you state underneath the front edge  
16 of the corner section, but it will stick out in order to be utilized and its placement prevents the  
17 opening of drawers or doors in the AFCs on either side. Note the presence of the adjacent  
18 furniture components in the Novikoff corner relative to the placement of the Kirchoff  
19 keyboard in my Figure 3. Thus the conclusion re achievement of the oblique angle  
20 positioning of the AFCs at your line 9 of the second paragraph of your page 5, here page C,  
21 is NOT supported.

22           Now, if you look again at my Figure 4, and one were to roll out the shelf - as opposed  
23 to using the **FIXED** keyboard shelf of Fich, but to use a true Grubb-type top, one will note  
24 that the diagonal distance is approximately twenty-seven inches when the adjacent furniture  
25 components have eighteen inch side dimensions but a full depth of twenty-four inches. Let us  
26 go back now and look at your exact language on page 5. "... *it would have been obvious to*  
27 *modify the structure Novikoff by providing a keyboard platform mounted underneath the front*  
28 *edge of the corner section . . .*" That's what I show when we refer to my Figure 2. But does  
29 this give one a dimension of about twenty-seven inches? The answer is NO. Does putting a  
30 Fich-type lowered section provide an ergonomic keyboard platform? NO. When a Kirchoff  
31 keyboard platform is mounted up against the front edge, the appearance is as in my Figure 3.  
32 It sticks out.

33           Now according to your rejection, - line 5 of page C if you mount the Fich fixed-type

1 keyboard tray on a Novikoff-type corner desk, you would then would have to remove the  
2 lowered Fich platform from Novikoff, and then replace it with a Kirchhoff-type keyboard that  
3 rises up and down and do the wire management stuff. And you still don't have the structure of  
4 this invention. Why? Because you have made the configuration of my Figure 3.

5 Look now at your line13 wherein you state, “. . . *provide a user friendly computer*  
6 *desk, as taught by Brown et al, and . . .*” my Figure 7 -the following allegation I dispute, -- “  
7 . . . *and each said furniture component with an oblique edge at a 45 degree angle to its front*  
8 *edge in order to provide a versatile adjacent furniture component, . . .*” That begs the  
9 question, mounting the Kirchhoff keyboard on the Novikoff top is what arises in my Figure 3,  
10 it does not give the invention of this application. Now, lets move forward, you state, “. . .  
11 *the corner section would have its oblique edge intersecting the front edge of the corner*  
12 *section at 90 degree angle, as taught by Grubb, . . .*” clearly, that is NOT the case.

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#### 15 RECESSED BACK

16 At the top of page 5 of your office action, you refer to Grubb. Grubb also does not have a  
17 recessed back for his adjacent furniture components. Further to this topic, note that GRUBB's  
18 structure of the corner desk section is 6 sided not 5 sided. This reduces further the feasibility  
19 of combining aspects of Grubb with Novikoff because the corner sections are not the same.  
20 But most importantly, look at the Novikoff patent and particularly at FIGURES 1 & 2.  
21 Given that the adjacent furniture components may have recessed backs using the complex  
22 structure of Figures 4 and 5 for example. But the corner desk section clearly DOES NOT  
23 have recessed modesty panels or rear walls, per the claims of this application. Note the  
24 applicant's specification at reference numbers 92 and 93 in the text of applicant. Look at the  
25 lower left corner and the upper right corners of the corner desk of Noivkoff in his FIGURE 1  
26 for confirmation of the assertion of counsel.

#### 27 CONCLUSION

28 There is nothing to show that it would be obvious to use a Novikoff-type corner desk  
29 modified to a Grubb-type corner unit configuration dimension wise, and then remove the  
30 shelf you added that has been fixed and lowered, as per Fich, and then to replace that lowered  
31 shelf which is fixed in Fich but which is apparently retractable in Grubb to replace that shelf  
32 with a Kirchhoff-type of keyboard holder. And to further chop off the rear corner of the Grubb  
33 unit during your efforts.

1 If you put a Kirchoff keyboard rest on Novikoff, you don't have this invention, and  
2 you can't alter Grubb directly to first remove the retractable shelf to mount a Kirchoff  
3 keyboard rest. Because you then lose the other part of the rejection concerning the recessed  
4 back which only Novikoff shows not Grubb. And also as an aside, the Novikoff structure to  
5 achieve the recessed back differs from what is done by applicant.

6 As stated above, It is the concept that the substitution cannot be made geometrically  
7 to utilize a Novikoff-type corner to achieve a modified unit to resemble Grubb with a  
8 Kirchoff-type keyboard as is done in your multiple referenced combination. This is because  
9 as the two edges of the AFCs or the side edges of the corner unit approach to a hard 90-  
10 degree angle, the diagonal that can join them gets shorter and shorter.

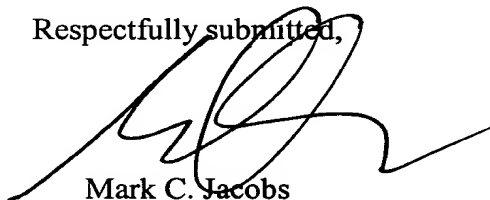
11 If you take a Novikoff corner top, add a central lowered tray as per Fich, and replace  
12 that fixed lowered tray with Kirchoff you get my Figure 3 – which is not the configured  
13 invention of this application.

14 Conversely if you take Grubb directly, and remove the slidable tray and put on  
15 Kirchoff, you are altering the structure in two ways: first, changing the rear corner from that  
16 of applicant; and second, removing the slidable keyboard rest. And you lose the recessed back  
17 concept of Novikoff and also found in this invention, in making that combination.

18 Counsel has made a diligent effort to reduce the number of claims to 11 and to  
19 combine elements in the claims to reduce the burden on the Examiner. It is believed that all  
20 claims now in the case are patentable and as such the case should be passed to issue.  
21 However, due to the complexity of the claims if there are any minor issues such as Section  
22 112 problems, which were unseen by Counsel, the Examiner is asked to contact the  
23 undersigned in California at 916-485-5000 to attempt to resolve them telephonically such that  
24 this case which pertains to a commercially successful product can proceed to issue.

25 A one month extension of time request and appropriate fee are enclosed.

26  
27 Respectfully submitted,

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